



JC19 Rec'd PCT/PTO 16 MAY 2001  
Atty Docket: F  
Director  
PCT

In re Application of FISH, Falk  
Serial No.: 09/763,415  
Filed Date: 21 Feb 2001  
For: METHOD AND KIT FOR THE DETERMINATION OF...  
Application Division  
ATTN: Box Missing Parts  
Washington, D.C.  
May 16, 2001  
Confirmation No.

LATE SUBMISSION OF FILING FEE AND/OR DECLARATION

HON. COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
Sir:

The present communication is in response to the "NOTICE TO FILE MISSING PARTS OF APPLICATION..." dated March 19, 2001.

- ☒ Attached hereto is an executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, filing date and priority information.
- ☐ Attached hereto is an executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, serial number, filing date and priority information, and to which is attached a duplicate copy of the application as filed.
- ☒ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ A Communication.
- ☐ Preliminary Amendment.
- ☐ Preliminary Amendment and Statements in Support of Filing and Submissions in Accordance with 37 C.F.R. §1.821-1.825.
- ☐ Sequence Listing (hardcopy), and computer-readable form of Sequence Listing.
- ☐ A certified copy of priority document no. \_\_\_\_\_, filed \_\_\_\_\_, is also attached. Priority is claimed.
- ☐ An Information Disclosure Statement with 08A-1449 and \_\_\_\_\_ references is also attached.
- ☐ Change of Address

The following fee is calculated below:

	(Col.1)	(Col. 2)	Small Entity			OTHER THAN A SMALL ENTITY	
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	OR	RATE	FEE
BASIC FEE				\$355.00	OR		\$ 710.00
TOTAL CLAIMS	- 20		X 9 =	\$	OR	X 18 =	\$
INDEP.CLAIMS	- 3		X 40 =	\$	OR	X 80 =	\$
<input type="checkbox"/> Multiple claims presented			+ 135 =	\$	OR	+ 260 =	\$
If the difference in Col. 1 is less than 0, enter "0" in Col. 2			TOTAL	\$		TOTAL	\$

- ☐ Surcharge for late filing of English translation \$ 130.00
- ☐ Late filing of Declaration surcharge in the amount of: Small Entity ☐ \$65.00 Other than Small Entity ☐ \$130.00
- ☒ It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a).  
The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:  
Small Entity Response Filed Within  
☒ First - \$ 55.00  
☐ Second - \$ 195.00  
☐ Third - \$ 445.00  
☐ Fourth - \$ 695.00  
Month After Time Period Set  
Other Than Small Entity Response Filed Within  
☐ First - \$ 110.00  
☐ Second - \$ 390.00  
☐ Third - \$ 890.00  
☐ Fourth - \$1,390.00  
Month After Time Period Set
- ☒ Conditional Petition for Extension of Time:  
If any extension of time for a response is required, applicant requests that this be considered a petition therefor.
- ☒ Credit Card Payment Form (PTO 2038) is authorizing payment in the amount of \$55.00, is attached.
- ☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

05/21/2001 UEDUVIJE 00000065 09763415  
01 FC:215 55.00 DP

BROWDY AND NEWMARK, P.L.L.C.  
Attorneys for Applicant(s)  
By: *[Signature]*  
Sheridan Neimark  
Registration No. 20,520

SN:tsw



Atty Docket: FISH

Sector  
ff

In re Application of  
FISH, Falk  
Serial No.: 09/763,415  
Filed Date: 21 Feb 2001  
For: METHOD AND KIT FOR THE DETERMINATION OF...

) Application Division  
)  
) ATTN: Box Missing Parts  
)  
) Washington, D.C.  
) May 16, 2001  
)  
) Confirmation No.

LATE SUBMISSION OF FILING FEE AND/OR DECLARATION

HON. COMMISSIONER OF PATENTS AND TRADEMARKS

Washington, D.C. 20231

Sir:

The present communication is in response to the "NOTICE TO FILE MISSING PARTS OF APPLICATION..." dated March 19, 2001.

- [XX] Attached hereto is an executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, filing date and priority information.
- [ ] Attached hereto is an executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, serial number, filing date and priority information, and to which is attached a duplicate copy of the application as filed.
- [XX] Applicant claims small entity status. See 37 CFR 1.27.
- [ ] A Communication.
- [ ] Preliminary Amendment.
- [ ] Preliminary Amendment and Statements in Support of Filing and Submissions in Accordance with 37 C.F.R. §1.821-1.825.
- [ ] Sequence Listing (hardcopy), and computer-readable form of Sequence Listing.
- [ ] A certified copy of priority document no. \_\_\_\_\_, filed \_\_\_\_\_, is also attached. Priority is claimed.
- [ ] An Information Disclosure Statement with 08A-1449 and \_\_\_\_\_ references is also attached.
- [ ] Change of Address

The following fee is calculated below:

	(Col.1)	(Col. 2)	Small Entity			OTHER THAN A SMALL ENTITY	
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	OR	RATE	FEE
BASIC FEE				\$355.00	OR		\$ 710.00
TOTAL CLAIMS	- 20		X 9 =	\$	OR	X 18 =	\$
INDEP.CLAIMS	- 3		X 40 =	\$	OR	X 80 =	\$
[ ] Multiple claims presented			+ 135 =	\$	OR	+ 260 =	\$
If the difference in Col. 1 is less than 0, enter "0" in Col. 2			TOTAL	\$		TOTAL	\$

[ ] Surcharge for late filing of English translation \$ 130.00

[ ] Late filing of Declaration surcharge in the amount of: Small Entity [ ] \$65.00 Other than Small Entity [ ] \$130.00

[XX] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity  
Response Filed Within  
[XX] First - \$ 55.00  
[ ] Second - \$ 195.00  
[ ] Third - \$ 445.00  
[ ] Fourth - \$ 695.00  
Month After Time Period Set

Other Than Small Entity  
Response Filed Within  
[ ] First - \$ 110.00  
[ ] Second - \$ 390.00  
[ ] Third - \$ 890.00  
[ ] Fourth - \$ 1,390.00  
Month After Time Period Set

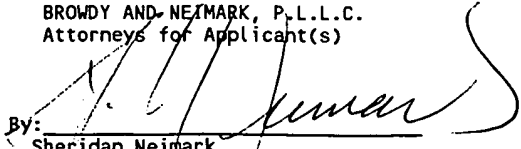
[XX] Conditional Petition for Extension of Time:

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

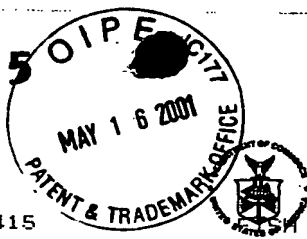
[XX] Credit Card Payment Form (PTO 2038) is authorizing payment in the amount of \$55.00, is attached.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

BROWDY AND NEWMARK, P.L.L.C.  
Attorneys for Applicant(s)

By:   
Sheridan Neimark  
Registration No. 20,520

09/763415



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231 F FISH4

09/763,415

U.S. APPLICATION NO. FIRST NAMED APPLICANT ATTY. DOCKET NO.

BROWDY AND NEIMARK  
624 NINTH STREET N W SUITE 300  
WASHINGTON DC 20001

5071

PCT/11 99/00447

I.A. FILING DATE 19/99 PRIORITY DATE 8/21/98

03/19/01

DATE MAILED:

# NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),  
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

- ☐ a non-English language.  
☒ English.

☐ Translation of the international application into English.

☐ Oath or Declaration of inventor(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☒ Preliminary amendment(s) filed 21 Feb 01 and

☐ Information Disclosure Statement(s) filed and

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed

☐ Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report and copies of the references cited therein.

☐ Other:

2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

- ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

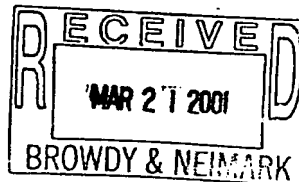
Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Levent H. Arar

Telephone: (703) 365-8688  
(703) 365-8688



mag = 19 AP 2001